

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

X

Lyubovny,

Plaintiff,

-against-

Roberts,

Defendant.

X

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 4/20/10

08 CIVIL 7252 (PGG)

**JUDGMENT**

# 10,0619

A Jury Trial before the Honorable Paul G. Gardephe, United States District Judge, having begun on April 12, 2010, and at the conclusion of the trial, on April 15, 2010, the jury having rendered a verdict in favor of the plaintiff in the amount of \$ 50,000.00 for Compensatory Damages and \$ 250,000.00 in Exemplary Damages, it is,

**ORDERED, ADJUDGED AND DECREED:** That the plaintiff have judgment in the sum of \$ 300,000.00 as against the defendant.

**DATED:** New York, New York  
April 16, 2010

**J. MICHAEL McMAHON**

**So Ordered:**

Paul G. Gardephe  
U.S.D.J.

BY:

**Clerk of Court**  
D. J. K.  
Deputy Clerk

### Extract of Minutes

United States District Court  
Southern District of New York

-----x  
VIAAD Lumber :  
1124 1/3 1/10 :  
V.  
William Leonard Roberts II :  
1/11/10 Rick Rose :  
-----x

( full title of case required, use other side if necessary)

Appearances : ( PLEASE INCLUDE FIRM NAME & TELEPHONE NUMBER)

Plaintiff : Brian C. H. Caplan + Losi LLP  
270 Madison Avenue, 13th Fl  
NY, NY 10016 (212) 973-2377

Defendant : Xavier R. Davidson, Bernstein, Chaitin + David, LLP  
163 East 125th Street, Suite 1162  
NY, NY 10035 (212) 732-0907

TRIAL: JURY (NON-JURY) BEGUN : 4/12/10  
(DATE)

The Plaintiff is awarded compensatory damages  
in the amount of \$10,000.00 and exemplary damages  
in the amount of \$25,000.00.

CLERK : Natalie Puccio

COURT REPORTER Veronica Utter

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

VLAD LYUBOVNY p/k/a "DJ VLAD",

Plaintiff,

- against -

WILLIAM LEONARD ROBERTS II p/k/a "RICK ROSS",

Defendant.

**VERDICT SHEET**

08 Civ. 7252 (PGG)

The jury hereby unanimously makes the following findings:

**LIABILITY**

1. Has Plaintiff Lyubovny proven by a preponderance of the evidence that Defendant Roberts is liable for the August 10, 2008 assault?

YES  NO \_\_\_\_\_

If your answer to Question 1 is NO, answer no further questions. The foreperson should sign and date this form, place it in an envelope, and inform the Marshal that the jury has reached a verdict.

If your answer to Question 1 is YES, continue to the next question.

**DAMAGES**

2. Do you find that Plaintiff Lyubovny is entitled to compensatory damages?

YES  NO \_\_\_\_\_

If "YES" to Question 2, state the amount that should be awarded.

Amount: \$: 50,000.00.

If your answer to Question 2 is NO, answer no further questions. The foreperson should sign and date this form, place it in an envelope, and inform the Marshal that the jury has reached a verdict.

If your answer to Question 2 is YES, continue to the next question.

3. Do you find that Plaintiff Lyubovny is entitled to exemplary damages?

YES ✓ NO \_\_\_\_\_

If "YES" to Question 3, state the amount that should be awarded.

Amount: \$: 1250,000.00

If your answer to Question 3 is NO, answer no further questions. The foreperson should sign and date this form, place it in an envelope, and inform the Marshal that the jury has reached a verdict.

If your answer to Question 3 is YES, continue to the next question.

**SPECIAL VERDICT QUESTIONS**

4. Did the assault on Mr. Lyubovny cause him serious bodily injury? The jury should understand the term "serious bodily injury" to mean bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

YES \_\_\_\_\_ NO ✗

Continue to Question 5 regardless of your answer to Question 4.

5. Did the assault on Mr. Lyubovny involve the use of a deadly weapon? The jury should understand the term "deadly weapon" to mean anything that in the manner of its use or intended use is capable of causing death or serious bodily injury.

YES ✓ NO \_\_\_\_\_

After completing this form, the Foreperson should sign and date it, place it in an envelope, and inform the Marshal that the jury has reached a verdict.

Dated: 4/15/10

Mum

Signature of Foreperson